

**DURHAM, NORTH CAROLINA**  
**MONDAY, May 7, 2001**  
**7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Excused Absence: Council Member Langley.

Also present: Interim City Manager Greg Bethea, City Attorney Henry Blinder, City Clerk D. Ann Gray and Deputy City Clerk Linda Bratcher.

Mayor Tennyson called the meeting to order informing Council that Council Member Angela Langley is recuperating and at home. Also, Mayor Tennyson commented on the Saturday Living It Up Downtown Tour and the Good Work's 10<sup>th</sup> Anniversary celebration.

Mayor Tennyson noted that the May 19, 2001 City Council Retreat has been cancelled and will be rescheduled in June.

City Clerk D. Ann Gray swore in Mr. Joseph Henry Young as a member of the City-County Appearance Commission.

Mayor Pro Tempore Clement congratulated the pastor and congregation of the Five Oaks 7<sup>th</sup> Day Adventist Church for hosting the International Sabbath and thanked Mr. Bob Jervis and his colleagues for leading the National Prayer Day on May 3, 2001.

Council Member McKissick thanked everyone involved for hosting the Doubletake Documentary Film Festival.

Council Member Larson commented on his attendance at the International Sabbath on Saturday, April 28, 2001 and announced that the next Finance Committee will meet at the Center for Employment Training at the Golden Belt Facility and a tour of the facility will begin at 2:15 p.m.

Council Member Hill congratulated employees from Tapco Corporation and Harlan Laws for their work on restoring the Vietnam Memorial.

Council Member Jacobs commented on the reception held for Evonne Coleman who is leaving the Durham Arts Council and announced that the May 14<sup>th</sup> Public Works Committee will meet at the Public Works Operations Center.

Mayor Tennyson read a proclamation recognizing May 5-12, 2001 as Safe Kids Week.

The Mayor acknowledged the following members who participated in the 2001 Special Olympics State Basketball Tournament: Durham

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Bulls A Team was coached by Kristen Randall (Head Coach - Durham Parks & Recreation Department), Tess Krestchman, Kris Dickson, Christie Hedgiest, and Brandon Travis (Assistant Coaches). Team members included Steve Hawkins, Donnell Osbourne, Grant Stiff, Jonothan Small, Richard Kreiselman, Kendrick Mangum, Rick Dennis, Stephanie Speh, Davis Thompson and Ben Gunter (who was unable to make the competition). Durham Bulls C Team was coached by Robin Parrish, Durham Parks & Recreation Department and Tina Petrillo. The competition team players include Stephen Kilsheimer, Chaisney Clark, Richard Neal, Dylan Bloomer, Alex Brode, Jeremy Doakes, Chaak Sanchez Lopez, Chaffin Pittman, Matthew Bryson and Lee Lewis.

Also, the Mayor read a proclamation designating May 6-12, 2001 as Drinking Water Week and acknowledged the following 2001 Water Conservation Poster Contest Winners: Grades K-2: 3<sup>rd</sup> Place - Erick Torrijos; 2<sup>nd</sup> Place - Zhongshan Zhu; 1<sup>st</sup> Place: Avi Stein. Grades 3-5: Honorable Mentioned - Karen Hernandez; 3<sup>rd</sup> Place - Scott Atwater; 2<sup>nd</sup> Place - Rosa Jones; 1<sup>st</sup> Place - Sarah Newton. Grades 6-8: Honorable Mentioned - Bridget McCaskill; 3<sup>rd</sup> Place - Meredith Parks; 2<sup>nd</sup> Place - Kimi Finch; 1<sup>st</sup> Place - Amanda Wickline.

Vickie Atkinson, representing Environmental Resources, presented certificates from the State Association to the following winners of the state-wide contest: Grades 3-5: 2<sup>nd</sup> Place - Rosa Jones; 1<sup>st</sup> Place - Sarah Netwon. Grades 6-8: 2<sup>nd</sup> Place - Kimi Finch.

Finally, the Mayor read a proclamation announcing June 2, 2001 as YMCA Day.

Mayor Tennyson asked for priority items. There were no items from the Interim City Manager or City Attorney.

City Clerk D. Ann Gray informed Council of an insufficient protest petition filed against GBA Item #9(Zoning Case: P00-55 - Triad Homes, Inc.)

Mayor Tennyson noted revisions to the Consent Agenda made at the Committee-of-the-Whole Meeting. Mayor Tennyson asked if any citizen(s) or council member(s) wanted to pull any item(s) from the Consent Agenda for discussion later in the meeting.

Relative to Consent Item #2 [ACCEPTANCE OF DONATION OF LAND FOR THE EXTENSION OF THE NORTH ELLERBEE CREEK TRAIL AND/OR AN ADDITION TO NORTHGATE PARK], Mayor Tennyson thanked Sam Brockwell and his family for the gift to the citizens of Durham.

Sam Brockwell, representing the family, noted Durham has meant a lot to their family and they were glad to give something back to the City.

At this time, Mayor Tennyson noted that Consent Item#7c [SALARY CONTINUATION] was pulled.

Council Member Hill pulled Consent Items #7a [REPORT ON

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PROCEEDINGS OF THE CITY COUNCIL'S INSURANCE SUBCOMMITTEE] & 7b  
[PROPERTY AND CASUALTY INSURANCE BROKER].

Council Member Blyth informed her colleagues that she would be voting in opposition to Consent Item #10a [CEREMONIAL RESOLUTIONS].

Relative to Consent Item #25 [ENDORSEMENT OF CIAA TOURNAMENT] Mayor Pro Tempore Clement spoke in support of this item and noted the City of Durham should take a more active role by assuming some responsibility for sponsorships.

Mayor Tennyson noted that this would be a separate matter.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to approve the Consent Agenda as amended was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**[CONSENT AGENDA]**

**SUBJECT: DURHAM AREA TRANSIT AUTHORITY APPOINTMENTS**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to appoint **LeRoy E. Tuckett**, Regular Member, and **Patrick Hannah** and **Matthew Latterell**, Alternate Members, to the Durham Area Transit Authority for terms to expire March 1, 2003 was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: ACCEPTANCE OF DONATION OF LAND FOR THE EXTENSION OF THE NORTH ELLERBEE CREEK TRAIL AND/OR AN ADDITION TO NORTHGATE PARK - STERLING M. BROCKWELL, JR. AND OTHERS**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to accept the property donation known as Tax Map Numbers 77-01-002, 003, and 004; 77-02-003; 110-02-005, 006, 007 and 008; 110-04-002, 003, 004 and 005; and 110-06-007 from Sterling M. Brockwell, Jr. and others and to authorize the trail extension and/or park addition to be named in memory of their mother, Helen Williams Brockwell was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: SUBMISSION OF FEDERAL OPERATING ASSISTANCE GRANT APPLICATION FOR THE CITY OF DURHAM, NORTH CAROLINA**

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**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt a "Resolution to Approve a Federal Transit Administration Program of Projects for the City of Durham, North Carolina"; and

To adopt an "Authorizing Resolution - The Filing of a Grant Application and Execution of a Grant Agreement for Section 5307 Funding with the Federal Transit Administration"; and

To adopt an "Authorizing Resolution - City of Durham and North Carolina Department of Transportation Section 5307 Planning, Capital Grant" was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Resolution #8755-8757**

**SUBJECT: EMPLOYMENT & TRAINING GRANT PROJECT ORDINANCE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt a "City of Durham Employment & Training Grant Project Ordinance Superseding Ordinance #12007 for Federal Grant July 1, 2000 Until All Funds are Expended" to include additional funds in the amount of \$156,046.83 was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Ordinance #12284**

**SUBJECT: COUNTYWIDE DIGITAL MAPPING PROJECT AMENDMENT #2 - GEONEX CORPORATION/AGRA BAYMONT**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute Amendment #2 to the contract with Geonex Corporation/AGRA Baymont for additional mapping services, and to make changes to the contract amendment prior to execution such that the contractor's obligations are not lessened and the cost to the City is not increased was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: GRANT PROJECT ORDINANCE ESTABLISHING FAIR HOUSING COMPLIANCE GRANT FUNDING FOR FISCAL YEARS 1995-2000**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt the "City of Durham Grant Project Ordinance Fair Housing Compliance Funding FY 1995-2000" was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement

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and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Ordinance #12283**

**SUBJECT: IMPLEMENTATION OF COUNCIL PROCEDURES SUBCOMMITTEE RECOMMENDATIONS**

**a. Ceremonial Resolutions**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to approve changes, as shown underlined in pages 5 and 20 of the Council Procedures, regarding ceremonial resolutions (recommended by the Council Procedures Subcommittee) was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Council Member Blyth. Excused Absence: Council Member Langley.

**b. City Council Travel and Miscellaneous Expense and Notice of Use of City Funds Policies**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to approve the Mayor and Council Members Travel and Miscellaneous Expense Policy and Mayor and Council Members Reporting of Council Use of Fund Policy was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: PRELIMINARY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEARS 2002 THROUGH 2007**

To receive the preliminary Capital Improvement Program for Fiscal Years 2002 through 2007 and to set a public hearing on Monday, May 21, 2001 to receive citizens' written and oral comments on the CIP.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to refer this item back to the administration was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: GANG ISSUE INITIATIVES**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to direct the Administration to move forward on gang issue initiatives--including but not limited to partnerships to be formed, summer jobs to be made available and ordinances to address

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gang activities was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: PRELIMINARY PLAT/SITE PLAN APPROVAL - FARRINGTON ROAD SUBDIVISION**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to approve a preliminary plat/site plan for "Farrington Road Subdivision," submitted by R. L. Horvath & Associates, Inc., on behalf of Centrex Homes, Inc., for 101 single-family lots on a ±48.027 acre site zoned PDR 2.71 and F/J-B and located on the south side of Farrington Road, east of I-40 and Trenton Road (Tax Map #797-1-03 and #482-1-28; PIN #0709-03-44-4571 and #0709-01-45-3219; and City Atlas Page 35, B-1 and Page 41, B-4) was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: CONTRACT SW-9 COMMUNITY DEVELOPMENT BLOCK GRANT SIDEWALKS -RIDGEWAY AVENUE/MATHISON STREET AND EDITH STREET/GREEN STREET - R & G CONSTRUCTION COMPANY, INCORPORATED**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute a contract with R & G Construction Company, Incorporated in the amount of \$163,895.50 for sidewalk installation (Contract SW-9); and

To authorize the expenditure of up to \$205,000 from the Community Development Block Grant fund was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: NORTH CAROLINA DEPARTMENT OF TRANSPORTATION (NCDOT) ENHANCEMENT AGREEMENT - FAYETTEVILLE STREET SIDEWALK**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt a resolution authorizing the City Manager to execute an Enhancement Agreement (Project: E-4530) with NCDOT for the Fayetteville Street sidewalk; and

To adopt "An Ordinance Amending General Capital Improvement Project Ordinance, As Amended, the Same Being Ordinance #12267" was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member

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Langley.

**Resolution #8758  
Ordinance #12293**

**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH DANIEL J. AND  
LAURA R. WOODS - AMERICAN INDUSTRIAL CENTER**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with Daniel J. and Laura R. Woods to extend a 12-inch City water main in Ellis Road about 550 feet and an 8-inch City sewer main in Ellis Road about 436 feet to serve American Industrial Center, a 12.06 acre industrial site located on the east side of Ellis Road about 1,100 feet north of Glover Road was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH TRAFALGAR  
PROPERTIES, L.L.C. - THE VILLAGES AT INDEPENDENCE PARK**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with Trafalgar Properties, L.L.C. to extend City water approximately 1,800 feet in Danube Lane, and sewer to serve The Villages at Independence Park, a 73.4 acre, 55 single family and 251 multifamily subdivision located at the northeast corner of Danube Lane and Ben Franklin Boulevard was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH CIMLAND, L.L.C.  
- CAMBERLEY SUBDIVISION**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water and Sewer Extension Agreement with Cimland, L.L.C to extend City water and sewer to serve Camberley Subdivision, a 20 lot, 12.85 acre, single family subdivision located at the southern end of Camberley Drive was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: WATER EXTENSION AGREEMENT WITH DURHAM COMMUNITY LAND  
TRUSTEES, INC. - 731 BAYARD ROAD**

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**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Water Extension Agreement with Durham Community Land Trustees, Inc. to extend City water approximately 360 feet to serve 731 Bayard Road, a .57 acre single family lot located at the northeast corner of Bayard Road and Keith Street was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: SEWER EXTENSION AGREEMENT WITH T. C. STANDFORD - STANDFORD HOME PLACE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a Sewer Extension Agreement with T. C. Stanford to extend a City sewer main and outfall to serve Stanford Home Place, a 2.84 acre, two-lot single family subdivision located on the north side of Carver Street about 300 feet east of Rose of Sharon Road was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH C. C. WOODS CONSTRUCTION COMPANY - INDUSTRIAL DRIVE - C. C. WOODS OFFICE BUILDING**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute a Water and Sewer Extension Agreement with C. C. Woods Construction Company to extend City water and sewer to serve C. C. Woods Office Building, a 3.05 acre, industrial office building located on the west side of Industrial Drive about 1,000 feet north of Hamlin Road was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT WITH REGIONS DEVELOPMENT, L.L.C. - MCKITTRICK MEADOW**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to execute a Water and Sewer Extension Agreement with Regions Development, L.L.C. to extend City water and sewer to serve McKittrick Meadow, a 54 lot, 23.98 acre, single family subdivision located on the east side of Herndon Road about 4,000 feet north of Scott King Road was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth,



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Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: LICENSE AGREEMENT WITH TREYBURN, L.L.C. - CHAMPION POINT DRIVE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to authorize the City Manager to enter into a License Agreement with Treyburn, L.L.C. to install and maintain a brick sidewalk within the right of way of Champion Point Drive, a public road located off Vintage Hill Parkway was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: CANCELLATION OF MAY 29, 2001 PUBLIC WORKS COMMITTEE MEETING**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to approve the cancellation of the Public Works Committee Meeting scheduled on Tuesday, May 29, 2001 was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: ENDORSEMENT OF CIAA TOURNAMENT**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt a resolution endorsing the CIAA Tournament to be held in this region was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Resolution #8759**

**SUBJECT: EVENT PARKING - JACKIE ROBINSON DRIVE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance establishing event parking on the north side of Jackie Robinson Drive in the area beginning at a point 397 feet west of the west curb line of Mangum Street, if extended, and extending for a distance of 312 feet westwardly was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

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**Ordinance #12285**

**SUBJECT: RESOLUTION HONORING JULIUS L. CHAMBERS**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt a "Resolution Honoring Julius L. Chambers" was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Resolution #8754**

**SUBJECT: CITY COUNCIL MINUTES - CITY CLERK'S OFFICE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to approve the official minutes of the April 2, 2001 Regular City Council Meeting and the April 5, 2001 Special City Council Meeting was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: BID REPORT - MONTH OF JANUARY 2001**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to approve and record in the minutes the following bids and items displayed which were acted upon by the City Manager during the month of January 2001 was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**CITY OF DURHAM NORTH CAROLINA**

April 4, 2001

MEMO TO: Gregory A. Bethea  
Interim City Manager

THROUGH: Navdeep S. Gill  
Finance Director

THROUGH: Kenneth C. Pennoyer  
Assistant Finance Director

FROM: Joseph W. Clark  
Purchasing Manager

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SUBJECT: Bid Report

To approve and record in the minutes bids which were acted upon by the City Manager during the month of **January 2001**.

Apparatus, Supplies, Materials, Equipment, Construction, and Repairwork:

**1. Bid: Estimated Annual Requirements for Office Supplies**

Purpose of Bid: To provide the City with twelve months, firm price contract for office supplies.

Comments: For bidding and evaluation purposes, a listing of the five hundred most used items were compiled to award the bid. The City's estimated annual expenditure on this contract is \$75,000.00.

Opened: December 20, 2000

Bidders:	Brame Office Products	*	\$10,867.22
	Durham, NC		
	Prestige Office Products		\$11,920.84
	Durham, NC		
	Caddo Design & Office Products		\$12,105.93
	Morrisville, NC		

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Brame Office Products of Durham, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms available to provide this product.

The workforce statistics for Brame Office Products are as follows:

Total Workforce	15	
Total # of Females	7	47%
Total # of Males	8	53%
Total # of Black Males	2	13%
Total # of White Males	6	40%
Total # of Other Males	0	0%
Total # of Black Females	2	13%
Total # of White Females	5	33%
Total # of Other Females	0	0%

Performance Bond: ☒ Waived ☐ Not Waived ☐ Not Required

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**2. Bid: Fujitsu Stylistic Pen Tablet Computers**

Purpose of Bid: To provide the Housing Department with ten Fujitsu Stylistic Pen Tablet Computers.

Comments: Bids were solicited from all known regional Fujitsu dealers and only one response was received. Stantec Consulting Services, Inc., is the sole territorial source for Fujitsu Stylistic Pen Tablet Computers.

Opened: December 20, 2000

Bidders: Stantec Consulting Services, Inc. \* \$61,452.00  
Raleigh, NC

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Stantec Consulting Services, Inc., of Raleigh, North Carolina to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms available to provide this product.

The workforce statistics for Stantec Consulting Services, Inc., are as follows:

Total Workforce	360	
Total # of Females	80	22%
Total # of Males	280	78%
Total # of Black Males	10	3%
Total # of White Males	260	72%
Total # of Other Males	10	3%
Total # of Black Females	5	1%
Total # of White Females	74	20%
Total # of Other Females	1	1%

Performance Bond: ☒ Waived \_\_\_\_\_ Not Waived \_\_\_\_\_ Not Required

**3. Bid: Cisco Catalyst 6509 for City Hall**

Purpose of Bid: To purchase networking equipment

Comments: The Cisco Catalyst 6509 for City Hall will provide Gigabit (1000 MB) fiber uplink capabilities for the Police Department building, as well as other remote sites, including the Planning Department building, the PSNC building, Fire Station #1, Rigsbee Avenue, and the County building on Main Street. It upgrades some desktop connections from 10 MB to dedicated 100 MB and provides the capability to upgrade the link between the floors at City Hall from 10 MB to Gigabit (1000 MB). This is a significant improvement

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for the network backbone which provides services to all users in City Hall as well as to all remote sites connecting to shared resources at City Hall.

Bids were advertised and solicited from several bidders and only one response was received.

Opened: December 19, 2000

Bidders: Verizon South, Inc. \* \$73,496.82  
Research Triangle Park, NC

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Verizon of RTP, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There were no M/WBEs to provide this product.

The workforce statistics for Verizon are as follows:

Corporate Statistics

	1999			2000	
Total Workforce	5012		Total Workforce	1712	
Total Females	2257	45%	Total Females	188	11%
Total Males	2755	55%	Total Males	1524	89%
Black Males	352	7%	Black Males	176	10%
White Males	2360	47%	White Males	1324	77%
Other Males	43	1%	Other Males	24	1%
Black Females	765	15%	Black Females	70	5%
White Females	1463	29%	White Females	118	7%
Other Females	29	1%	Other Females	0	0%

Location Performing on Contract

1999/2000

Total Workforce	1420	
Total Females	862	61%
Total Males	558	39%
Black Males	146	7%
White Males	397	47%
Other Males	15	1%
Black Females	414	15%
White Females	439	29%
Other Females	9	1%

Performance Bond: ☒ Waived \_\_\_\_\_ Not Waived \_\_\_\_\_ Not Required

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**4. Bid: Knuckle Boom Loader Truck**

Purpose of Bid: To provide the Roadway Appearance division with a Knuckle Boom Loader Truck.

Comments: The bid from Cavalier Equipment did not meet specifications in the area of delivery time and out rigger stabilizer design. Lodal South is the lowest responsive bidder meeting all requirements.

Opened: December 18, 2000

Bidders:	Cavalier Equipment Corporation	\$80,762.47
	Cloverdale, VA (does not meet specifications)	
	Lodal South, Inc.	* \$90,105.01
	Rockingham, NC	

\*Awarded based on: \_\_\_\_\_ Low Bid ☒ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Lodal South, Inc. of Rockingham, North Carolina to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms available to provide this product.

The workforce statistics for Lodal South, Inc., are as follows:

2000			2001		
Total Workforce	8		Total Workforce	8	
Total # of Females	2	25%	Total # of Females	3	38%
Total # of Males	6	75%	Total # of Males	5	62%
Total # of Black Males	0	0%	Total # of Black Males	0	0%
Total # of White Males	6	75%	Total # of White Males	5	62%
Total # of Other Males	0	0%	Total # of Other Males	0	0%
Total # of Black Females	0	0%	Total # of Black Females	0	0%
Total # of White Females	2	25%	Total # of White Females	2	25%
Total # of Other Females	0	0%	Total # of Other Females	1	13%

Performance Bond: ☒ Waived \_\_\_\_\_ Not Waived \_\_\_\_\_ Not Required

**5. Bid: Cisco Catalyst 3548 for the Police Headquarters Building**

Purpose of Bid: To purchase networking equipment.

Comments: The Cisco Catalyst 3548s for the Police Department Headquarters will provide Gigabit uplinks between the floors and provide dedicated 100 MB to the desktop. This design is a significant improvement in services for the HQ building as groups of 24 users are currently sharing a single 10 MB connection. This will also lay the groundwork for resolving the long-

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term problems they have experienced related to the old Type 1 cable; the long-range plan is to install twisted pair (Cat 6) cable and connecting the workstations to the new backbone network.

Opened: January 9, 2001

Bidders: Verizon South, Inc. \* \$49,827.61  
Research Triangle Park, NC  
Alphanumeric Systems, Inc. \$54,017.00  
Raleigh, NC

\*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Verizon of RTP, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There were no M/WBEs to provide this product.

The workforce statistics for Verizon are as follows:

Corporate Statistics

	2000		2001	
Total Workforce	5012		Total Workforce	1420
Total Females	2257	45%	Total Females	862 61%
Total Males	2755	55%	Total Males	558 39%
Black Males	352	7%	Black Males	146 7%
White Males	2360	47%	White Males	397 47%
Other Males	43	1%	Other Males	15 1%
Black Females	765	15%	Black Females	414 15%
White Females	1463	29%	White Females	439 29%
Other Females	29	1%	Other Females	9 1%

Performance Bond: ☒ Waived ☐ Not Waived ☐ Not Required

**6. Bid: One 10 Cubic Yard Side Loading Refuse Collection Vehicle**

Purpose of Bid: To provide the Solid Waste Management Department with a Side Loading Refuse Collection Vehicle.

Comments:

Opened: January 16, 2001

Bidders: Carolina Environmental Systems, Inc. \* \$61,862.00  
Kernersville, NC  
University Ford \$62,544.00  
Durham, NC

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\*Awarded based on: ☒ Low Bid    ☐ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by Carolina Environmental Systems, Inc. of Kernersville, North Carolina to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms available to provide this product.

The workforce statistics for Carolina Environmental Systems, Inc. are as follows:

Total Workforce	71	
Total # of Females	11	15%
Total # of Males	60	85%
Total # of Black Males	3	4%
Total # of White Males	57	81%
Total # of Other Males	0	0%
Total # of Black Females	0	0%
Total # of White Females	11	15%
Total # of Other Females	0	0%

Performance Bond:    ☒ Waived                      ☐ Not Waived    ☐ Not Required

**7.      Bid:                      To purchase “operate-in-gear” at idle pump system for the four new Heil Automated Refuse Collection Trucks currently on order**

Purpose of Bid:              This “operate-in-gear” system will allow the drivers the ability to pack loads while the truck is in motion.

Comments:                  Carolina Environmental Systems, inc., is the sole regional source for Heil parts, sales, & service.

Opened:                      January 23, 2001

Bidders:                      Carolina Environmental Systems, Inc.              \*              \$10,400.00  
Kernersville, NC

\*Awarded based on: ☐ Low Bid    ☒ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	71		# Black Males	3	4%
Total # Females	11	15%	# White Males	57	81%
Total # Males	60	85%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	11	15%



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# Other Females      0      0%

Performance Bond:      \_\_\_\_\_ Waived      \_\_\_\_\_ Not Waived      **X** Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**8.      Bid:              Repairs to Leach Rear Loading Refuse Collection Vehicle**

Purpose of Bid:

Comments:              Amick Equipment Company, Inc., is the sole regional source for Leach parts, sales, & service.

Opened:              January 23, 2001

Bidders:              Amick Equipment Company, Inc.      \*      \$22,550.44  
                                 Lexington, SC

\*Awarded based on:      \_\_\_\_\_ Low Bid      **X** Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	19		# Black Males	0	0%
Total # Females	2	10.53%	# White Males	17	89.47%
Total # Males	17	89.47%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	2	10.53%
			# Other Females	0	0%

Performance Bond:      \_\_\_\_\_ Waived      \_\_\_\_\_ Not Waived      **X** Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

**9.      Bid:              Police Uniforms**

Purpose of Bid:              Estimated annual requirements of new Police Uniforms

Comments:              The low bidder is compliant with the Anti-Sweatshop Ordinance.

Opened:              January 11, 2001

Bidders:              American Uniform Sales, Inc.              \*      \$37,929.75  
                                 Fayetteville, NC  
                                 Showfety's, Inc.              \$44,267.85  
                                 Greensboro, NC  
                                 Century Uniforms              \$45,443.85

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Raleigh, NC

\*Awarded based on: ☒ Low Bid    \_\_\_\_\_ Other (See Comments)

The Equal Opportunity/Equity Assurance Department reviewed the bid submitted by American Uniform Sales of Fayetteville, NC to determine compliance with the Minority and Women Business Enterprises Ordinance.

There are no M/WBE firms available to provide this product.

The workforce statistics for American Uniform Sales are as follows:

Total Workforce	17	
Total # of Females	13	75%
Total # of Males	4	24%
Total # of Black Males	0	0%
Total # of White Males	1	6%
Total # of Other Males	3	18%
Total # of Black Females	4	23%
Total # of White Females	6	35%
Total # of Other Females	3	18%

Performance Bond: ☒ Waived    \_\_\_\_\_ Not Waived    \_\_\_\_\_ Not Required

**10.    Bid:                    Emergency repairs to the faulty wiring between City Hall and the Planning Building**

Purpose of Bid:

Comments:                    Due to the emergency nature of the work, it was not possible to obtain competitive quotations.

Opened:                    January 31, 2001

Bidders:                    Bryant Durham Electric                    \*\$25,000.00  
                                  Durham, NC

\*Awarded based on:    \_\_\_\_\_ Low Bid    ☒ Other (See Comments)

**WORKFORCE STATISTICS**  
**CORPORATION STATISTICS**

Total Workforce	19		# Black Males	0	0%
Total # Females	2	10.53%	# White Males	17	89.47%
Total # Males	17	89.47%	# Other Males	0	0%
			# Black Females	0	0%
			# White Females	2	10.53%
			# Other Females	0	0%

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Performance Bond: ☒ Waived \_\_\_\_\_ Not Waived \_\_\_\_\_ Not Required

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (\*).

JWC:lm

**SUBJECT: CONTRACT EXTENSION - CONTRACT NO. 3-229-99 - ESTIMATED ANNUAL REQUIREMENTS FOR LIQUID ALUMINUM SULFATE - GENERAL CHEMICAL CORPORATION**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to extend the bid from General Chemical Corporation in the amount of \$288,000 for furnishing the City with its estimated annual requirements for liquid aluminum sulfate; and

To authorize the City Manager to extend the contract with General Chemical Corporation in the amount of \$288,000 for providing the City with its estimated annual requirements for liquid aluminum sulfate; and

To authorize the City Manager to modify the contract before execution provided that the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the existing version of the contract was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: STREET ACCEPTANCE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to accept certain streets, as listed below, for maintenance by the City of Durham was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Grove Park - Northlake**

Northlake Drive from the end of the existing pavement at STA 24+75 north thru the cul-de-sac (753')

**Horton Hills**

Stadium Drive from the end of the existing pavement @STA 18+60 north to the end of construction at STA 9+50 (910')

Colindale Court from the centerline of Stadium Drive west thru the cul-de-sac (135')

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Northwood Hills Avenue from the centerline of Stadium Drive east to the end of construction @STA 12+49.16 (249')

**Rosehill**

Selby Avenue from the centerline of Kirby Street west to the end of construction at STA 5+34.65 (535')

Texanna Circle from the centerline of Selby Avenue south thru the cul-de-sac (186')

**Ridgewood**

Pebblestone Drive from the north curb line of Daniel Road north to the end of PH 3 construction at STA 12+32.52 (1233')

Esterbrook Court from the centerline of Pebblestone Drive west thru the cul-de-sac (219')

**SUBJECT: WATER MAIN ON GRANDALE DRIVE FROM BARBEE ROAD TO AMANDA ROAD - SETTING PUBLIC HEARING FOR CONFIRMATION OF THE ASSESSMENT ROLL**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt a resolution setting a **public hearing on Monday, May 21, 2001** for the confirmation of the assessment roll for water main on Grandale Drive from Barbee Road to Amanda Road was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - HULL AVENUE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance authorizing a speed limit of 25 mph on Hull Avenue from Case Street to the end of City maintenance was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Ordinance #12286**

**SUBJECT: TWENTY-FIVE MILE PER HOUR SPEED LIMIT - ROWEMONT DRIVE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance authorizing a speed limit of 25 mph on Rowemont Drive from Stadium Drive to Hermine Street was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

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**Ordinance #12287**

**SUBJECT: REINSTATING PARKING ON PRATT STREET**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance to repeal Ordinance #7944, adopted November 6, 1989, prohibiting parking on Pratt Street east of Douglas Street to the end of the cul-de-sac was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Ordinance #12288**

**SUBJECT: PARKING PROHIBITION - U.S. 15-501 SERVICE ROAD FROM TOWER BOULEVARD TO THE END OF STREET MAINTENANCE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance to prohibit parking, at any time, on the north and south sides of the U.S. 15-501 Service Road from Tower Boulevard to the end of street maintenance was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Ordinance #12289**

**SUBJECT: HANDICAPPED PARKING - PRICE AVENUE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance to establish handicap parking on the south side of Price Avenue beginning in the area at a point 262 feet west of the west curb line of Lincoln Street, if extended, and extending for a distance of 25 feet westwardly was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Ordinance #12290**

**SUBJECT: FOUR-WAY STOP - KNOX STREET AT ALABAMA AVENUE**

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance to repeal Ordinance #2136, adopted 1-21-63, which authorized the installation of stop signs on Knox Street at Alabama Avenue, northeast and southwest corners; and

To adopt an ordinance authorizing the installation of four-way stop signs on Knox Street at Alabama Avenue, south and northeast

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corners, and Alabama Avenue at Knox Street, east and west corners was approved at 7:30 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Ordinance #12291-12292**

**[GENERAL BUSINESS AGENDA]**

**[PUBLIC HEARINGS]**

**SUBJECT: CURB, GUTTER AND PAVING - OAKMONT AVENUE FROM N.C. HIGHWAY 55 AROUND LOOP TO N.C. HIGHWAY 55 (MINI ASSESSMENT ROLL)**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to reconsider the assessment against property of Thomas I. and Eliza G. Branch identified below; and

To find that the property of Thomas I. and Eliza G. Branch, identified as Tax Map #555-5-11A, 105 Oakmont Avenue, Lot 3, has benefited from the improvement and to confirm the assessment in the amount of \$2,000.00 was approved at 7:31 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: CURB, GUTTER AND PAVING - BOOKER STREET FROM LARCHWOOD DRIVE TO BUXTON AVENUE (MINI ASSESSMENT ROLL)**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to find that the property of Herbert L. and Annie M. Jones, identified as Tax Map #409-3-10, 4020 Booker Street, Lot 7, vacant, has benefited from the improvements and to confirm the assessment in the amount of \$1,000.00--partial relief granted in accordance with City policy was approved at 7:31 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

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**SUBJECT: WATER AND SEWER LATERALS - BOOKER STREET FROM LARCHWOOD  
DRIVE TO BUXTON AVENUE**

**a. Property of Jocelyn D. Webb**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to find that the property of Jocelyn D. Webb, identified as Tax Map #409-2-13, 4043 Booker Street, Lot 15, vacant, has not benefited (previously paid) from the water and sewer laterals and to relieve the water lateral assessment in the amount of \$600.00 and the sewer lateral assessment in the amount of \$750.00 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**b. Property of Jacqueline J. Moore**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to find that the property of Jacqueline J. Moore, identified as Tax Map #409-2-12, 4041 Booker Street, Lot 14, vacant, has not benefited (previously paid) from the water and sewer laterals and to relieve the water lateral assessment in the amount of \$600.00 and the sewer lateral assessment in the amount \$750.00 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**c. Property of Herbert L. and Annie M. Jones**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to find that the property of Herbert L. and Annie M. Jones, identified as Tax Map #409-2-10, 4040 Booker Street, Lot 17, vacant, has not benefited at this time from the water and sewer laterals and to relieve the water lateral assessment in the amount of \$600.00 and the sewer lateral assessment in the amount \$750.00 with the provision that frontage charges will be due and payable

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at the prevailing rates should the property receive water and/or sewer service--in accordance with City policy was approved at 7:32 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: SEWER MAIN - BOOKER AVENUE FROM COOK ROAD TO BUXTON DRIVE (MINI ASSESSMENT ROLL)**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to find that the property of Edna E. Cole, identified as Tax Map #410-2-17, 3902 Booker Avenue, Lots 237 - 240, has benefited from the sewer main improvement and to confirm the assessment in the amount of \$1,750.00 was approved at 7:32 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: WATER MAIN - HEATHER GLEN ROAD FROM RUSSELL ROAD TO FALKIRK DRIVE; FALKIRK DRIVE FROM SOUTH PROPERTY LINE OF TAX MAP 836-2-18 TO EAST PROPERTY LINE OF TAX MAP 836-3-30; WESTCOTT PLACE FROM HEATHER GLEN ROAD TO CUL-DE-SAC; PERTH PLACE FROM FALKIRK DRIVE TO CUL-DE-SAC; FAIRNTOSH PLACE FROM FALKIRK DRIVE TO CUL-DE-SAC AND ST. CLAIR PLACE FROM FALKIRK DRIVE TO CUL-DE-SAC (MINI ASSESSMENT ROLL)**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to find that the property of Benjamin F. and Barbara S. Wright, identified as Tax Map #836-4-5, 5407 Falkirk Drive, Lot 26, has not benefited at this time from the water main improvement and to relieve the assessment in the amount of \$3,416.14 with the provision that a future frontage charge will be due and payable at the prevailing rate should the property receive water service--in accordance with City policy was approved at 7:32 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: RECOMMENDED TAXICAB FARE INCREASES**



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As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard. There being no objections and/or allegations, the public hearing was declared closed.

Council Member McKissick spoke in support of reimposing the fuel surcharge and requested the administration to add this item to the next agenda of the Passenger Vehicle for Hire Commission meeting.

Council Member Cheek spoke in opposition to the surcharge until Council hears from the taxicab operators.

Council held discussion on the fuel surcharge and the background checks.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive citizens' comments concerning a new taxicab rate structure; and

To adopt "An Ordinance Amending Section 22-106(a)(1) of the Durham City Code Pertaining to Taxicab Rates" was approved at 7:40 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**Ordinance #12282**

**SUBJECT: APPLICANT FOR ECONOMIC DEVELOPMENT INVESTMENT FUNDS - RENOVATION OF 923 FRANKLIN STREET - VALCOR, INC. AND THE CITY OF DURHAM**

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

Steve Hopkins, of 526-A Barnes Avenue, noted this area troubles him because the businessman is from Raleigh and expressed a concern relative to the job issue.

Ted Conner, representing the Durham Chamber of Commerce (DCC), spoke in support of Valcor, Inc. noting that the Chamber looks forward to working with NECD Neighborhood Council and urged the City Council to approve incentives for Valcor.

Mayor Tennyson declared the public hearing closed.

Council Member Stith spoke in support of Valcor, Inc. relocating to Durham.

Council Member Wagstaff expressed concern that the citizens from the NECD community were not informed until recently and urged staff to inform the public relative to what funding/incentives are available to smaller businesses in the area.

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Several Council Members spoke in support of Valcor, Inc.

Council Member Blyth asked Ted Conner, representing DCC, for clarification on the partnership with the Durham Housing Authority.

Ted Conner, representing DCC, made comments relative to the shared easement.

Council Member Blyth asked staff would any of this money be used to reimburse the Housing Authority or any other entity.

Greg Payne, Economic Development Director, noted that funds are strictly in agreement with Valcor and will be paid to them once they fulfill the two obligations -- dollar investment level and job creation level and they have three years to do that.

Council Member Edwards asked staff what type of jobs would Valcor bring into NECD.

Greg Payne, Economic Development Director, noted jobs would be high-tech requiring some degree of skill. Also, he stated that Valcor has been working with the Center for Employment Training to get some qualified applicants from Durham.

Council held discussion on the Center for Employment Training.

**MOTION** by Mayor Pro Tem Clement seconded by Council Member Larson to receive citizens' comments on the proposed Agreement between Valcor, Inc. and the City of Durham regarding reimbursement for economic development activities; and

To authorize the City Manager to execute the Development Agreement with Valcor, Inc., regarding the use of up to \$36,000 in funds under the Economic Development Investment Policy; with the stipulation that the Manager be allowed to make minor changes to the Agreement that do not increase the total dollar amount to be paid by the City, and do not decrease the benefits to be provided to the City was approved at 7:56 p.m. by the following vote:  
Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**SUBJECT: ZONING MATTER CASE: P00-57 - E. T. DEVELOPMENT CORPORATION - 39.08 ACRES WEST OF FAYETTEVILLE STREET, NORTH OF PANAMA TERRACE, SOUTH OF HANSON ROAD AND EAST OF MIMOSA DRIVE**

Case: P00-57--Continued from the February 5, 2001 and April 2, 2001 City Council Meetings

Applicant: E. T. Development Corporation

Location: 39.08 acres west of Fayetteville Street, north of Panama Terrace, south of Hanson Road and east of Mimosa Drive

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(City Atlas Page 37, C-1)

Request: Rezoning from R-10 (Residential 10 District) and R-20 (Residential 20 District) to PDR-3.84 (Planned Density Residential District with a maximum of 3.84 units per acre)

Zoning Committee's Recommendation and Vote: Denial - (0-6)  
(Commissioner Edwards abstained due to a stated conflict of interest)

Planning Department's Recommendation: Approval

Dick Hails, of City/County Planning Department, briefed Council on the revised staff report noting traffic improvements are satisfactory and staff recommends approval.

Mark Ahrendsen, Transportation Manager, commented on the two additional improvements offered by the applicant. He noted the applicant agreed to provide a continuous left turn lane from the entrance to their site south to Barbee Road and there would be no more than 60 units until the provision of the second point of access is provided.

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

### **Proponent**

Rick Prentice, representing the applicant, spoke in support of this rezoning. He commented on the Traffic Impact Analysis and noted the proposal is consistent with the 2020 Plan. He stated that at the developer's cost, they would add an additional third lane from the access to Fayetteville Road to Barbee Road and agreed before moving beyond 60 units to add the second access and there would be a third access added also.

No one spoke in opposition to this rezoning.

Council Member McKissick spoke in support of this rezoning.

Council Member Cheek asked staff why there is a limitation to 60 units until the second access is provided.

Mark Ahrendsen, Transportation Manager, made comments relative to the City's policy noting that's the standard.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-10 and R-20 and placing same in and establishing same as PDR-3.84 was approved at 8:07 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Cheek, Edwards, Hill, Jacobs, Larson, McKissick and Stith. Noes: Council Members Blyth, Burnette and Wagstaff. Excused Absence: Council Member Langley.

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**SUBJECT: ZONING MATTER CASE: P00-55 - TRIAD HOMES, INC. -  
678.10 ACRES SOUTH OF SHERRON ROAD AND NORTH OF US 70**

Case: P00-55--Continued from the April 2, 2001 City Council Meeting

Applicant: Triad Homes, Inc.

Location: 678.10 acres south of Sherron Road and north of US 70  
(City Atlas Page 39, C-3, and Page 40, A-3, B-2, B-3, B-4 and C-3)

Request: Rezoning from RD (Rural District) and R-20 (Residential 20) District to PDR 3.99 (Planned Density Residential with a maximum of 3.99 units per acre)

To adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of RD and R-20 and placing same in and establishing same as PDR 3.99.

Zoning Committee's Recommendation and Vote: Denial - (7-0)

Planning Department's Recommendation: Approval

Mayor Tennyson noted the applicant requested that this item be continued until the June 4, 2001 City Council Meeting.

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to continue the public hearing without further advertising until the June 4, 2001 City Council Meeting was approved at 8:08 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Council Member Blyth. Excused Absence: Council Member Langley.

Note: City Clerk noted the protest petition filed against this rezoning is insufficient.

**SUBJECT: ZONING MATTER CASE: P01-03 - BETHESDA BAPTIST CHURCH -  
1.83 ACRES AT 2000 MIAMI BOULEVARD AND 2928 ELLIS ROAD,  
NORTH OF AMBASSADOR DRIVE AND SOUTH OF ANGIER AVENUE**

Case: P01-03

Applicant: Bethesda Baptist Church

Location: 1.83 acres at 2000 Miami Boulevard and 2928 Ellis Road, north of Ambassador Drive and south of Angier Avenue

Request: Rezoning from R-20 (Residential 20 District) to OI-1(D) (Transitional Office and Institutional District with a Development Plan)

Zoning Committee's Recommendation and Vote: Approval - (6-1)

Planning Department's Recommendation: Approval

As this was the time and place set for the public hearing, anyone interested was given the opportunity to be heard.

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**Proponent**

Mike Stocks, representing the applicant, spoke in support of this project.

No one spoke in opposition.

Mayor Tennyson declared the public hearing closed.

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to adopt an ordinance amending the Zoning Ordinance, the same being Chapter 24 of the Durham City Code, by taking the above described property out of R-20 and placing same in and establishing same as OI-1(D) was approved at 8:09 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**[SUPPLEMENTAL AGENDA]**

**SUBJECT: RESOLUTION HONORING COACH MIKE KRZYZEWSKI**

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to direct the City Clerk to draft a resolution honoring Coach Mike Krzyzewski was approved at 8:09 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: None. Excused Absence: Council Member Langley.

**[ITEMS PULLED FROM CONSENT AGENDA]**

**SUBJECT: ADOPTION OF THE 2001-2002 CONSOLIDATED PLAN**

To adopt the 2001-2002 Consolidated Plan and to authorize the Housing and Community Development staff to submit the Plan to the Department of Housing and Urban Development (HUD) prior to the May 15, 2001 deadline.

Steve Hopkins, of 526-A Barnes Avenue, raised a concern relative to the \$100,000 window replacement at Golden Belt and would like to see funding allocated for the Impact Team.

A motion was made by Council Member Larson seconded by Mayor Pro Tempore Clement to approve this item as printed on the agenda.

Council Member Blyth spoke in opposition to allocating \$100,000 for replacement windows in the Golden Belt Facility.

Council Member McKissick expressed concern about inadequate funding to the Durham Affordable Housing Coalition and the replacement of the roof at WD Hill using CDBG money. Also, he spoke in support of deferring this item.

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Charlene Montford, Housing & Community Development Director, briefed Council on the discussions held with HUD Representative and the Durham Affordable Housing Coalition noting that majority of the activities funded by the City were not eligible under the program monies received for CDBG. She noted that HUD has advised that the Housing Counselor position is eligible for funding which provides a direct benefit to low and moderate income persons.

Council Member McKissick made comments on the Coalition meeting with City staff concerning the program of services.

A substitute motion was made by Council Member Blyth seconded by Council Member Burnette to reallocate \$100,000 and to allocate an additional \$80,000 to Durham Affordable Housing Coalition and \$20,000 to Housing Code Enforcement.

Mayor Tennyson spoke in support of window replacement at Golden Belt.

Council Member McKissick made a friendly amendment that the reallocation of \$80,000 to the Affordable Housing Coalition be contingent upon HUD approving the scope of services.

Council Member Blyth accepted the friendly amendment.

Council held discussion on the May 15<sup>th</sup> deadline, DAHC, Housing Code Enforcement, WD Hill Center, HUD regulations and Golden Belt Window replacement.

**MOTION** by Council Member Blyth seconded by Council Member McKissick to suspend the rules to allow Council Member Blyth a third opportunity to speak **FAILED** at 8:45 p.m. by the following vote: Ayes: Council Members Blyth, Burnette, Edwards, McKissick and Wagstaff. Noes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Cheek, Hill, Jacobs, Larson and Stith. Excused Absence: Council Member Langley.

**SUBSTITUTE MOTION** by Council Member Blyth seconded by Council Member Burnette to reallocate \$100,000 [provide an additional \$80,000 to Durham Affordable Housing Coalition contingent upon HUD approval of scope of services and the balance of \$20,000 be allocated to Housing Code Enforcement] and if the DAHC allocation is not sustained by HUD the money will go to Housing Code Enforcement **FAILED** at 8:46 p.m. by the following vote: Ayes: Council Members Blyth, Burnette, McKissick and Wagstaff. Noes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Cheek, Edwards, Hill, Jacobs, Larson and Stith. Excused Absence: Council Member Langley.

**MOTION** by Council Member Larson seconded by Mayor Pro Tempore Clement to adopt the 2001-2002 Consolidated Plan and to authorize the Housing and Community Development staff to submit the Plan to the Department of Housing and Urban Development (HUD) prior to the May 15, 2001 deadline was approved at 8:46 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and

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Council Members Cheek, Edwards, Hill, Jacobs, Larson and Stith.  
Noes: Council Members Blyth, Burnette, McKissick and Wagstaff.  
Excused Absence: Council Member Langley.

**SUBJECT: RISK MATTERS**

**a. Report on Proceedings of the City Council's Insurance Subcommittee**

To receive a report from the Department of Finance on the proceedings of the City Council's Insurance Subcommittee.

**b. Property and Casualty Insurance Broker - Marsh USA, Inc.**

To authorize the City Manager to enter into a contract with Marsh USA, Inc. for insurance broker and risk management consulting services and to make changes to the contract prior to execution provided the changes do not lessen the contractor's obligations to the City and the cost to the City is not increased.

**c. Salary Continuation**

To adopt an "Ordinance to Amend Section 14-10 of the Durham City Code Relating to Personnel" to provide only those workers' compensation benefits required under the Workers' Compensation Act, with the exception of an employee option of using sick leave to maintain salary during the seven-day statutory waiting period and to make up the difference between the statutory 66.7% workers' compensation benefit and their regular net pay--effective July 1, 2001.

The following individuals [representing police and fire] spoke in opposition to amending Section 14-10 of the Durham City Code relating to salary continuation benefit under Workers' Compensation: Phil Wiggins, Christopher C. Fisher, Bill Towner, Kelvin Elsworth, Rick Padgett, Victoria Peterson and Bill Johnson.

Council Member Hill, Chair of the Insurance Subcommittee, expressed a concern about the worker's compensation program noting that it is a big problem and funds created in 1993 are gone because of worker's compensation claims.

Nav Gill, Finance Director, summarized recommendations noted by the Insurance Subcommittee highlighting the salary continuation amendment, claim settlement process and administrative matters, i.e., loss prevention program, medical/pharmaceutical bills; 3<sup>rd</sup> party claims adjustor; insurance broker; cost allocation system and risk operation.

Council Member Wagstaff spoke in opposition to amending the ordinance relating to salary continuation.

Council Member Stith asked the City Attorney if Council could opt out Police and Fire from the salary continuation.

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City Attorney Henry Blinder noted he would work with Human Resources to study this issue.

A motion was made by Council Member Stith seconded by Mayor Pro Tempore Clement to approve 7 a&b (Report on Proceedings of the City Council's Insurance Subcommittee & Property and Casualty Insurance Broker) as printed on the agenda and to refer 7c (Salary Continuation) to the administration to investigate the legality of opting out Police and Fire.

Council Member McKissick requested that this item be severed and spoke in opposition to the salary continuation component. Also, he raised a concern about opting out Police and Fire from other City employees.

Council Member Blyth raised a concern relative to the process noting that City employees were left out of the discussions held on this matter.

A substitute motion was made by Council Member Blyth seconded by Council Member Wagstaff to refer entire item (7a,b&c) to the administration until the new City Manager Marcia Conner arrives.

Council Members Larson, Cheek, Jacobs and Burnette spoke in support of the recommendations made by the Insurance Subcommittee.

Mayor Pro Tempore Clement made a friendly amendment to refer this item to the Insurance Subcommittee and to include representatives from the public safety and other departments in the deliberations.

Council Members Larson and Burnette urged their colleagues to vote on this matter tonight.

Council Member Edwards spoke in support of the substitute motion.

**MOTION** by Council Member Larson seconded by Council Member Cheek to allow Council Members Larson and Burnette a third opportunity to speak was approved at 10:12 p.m. by the following vote: Ayes: Mayor Pro Tempore Clement and Council Members Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Mayor Tennyson and Council Member Blyth. Excused Absence: Council Member Langley.

Council Member Larson made a friendly amendment to the original motion to refer 7c (Salary Continuation) to the Insurance Subcommittee instead of the administration and approving 7a&b tonight.

Council Member Stith accepted the friendly amendment.

**SUBSTITUTE MOTION** by Council Member Blyth seconded by Council Member Wagstaff to refer this item to the Insurance Subcommittee until the new City Manager arrives [to consider and make a recommendation and to include City employees in the deliberations] **FAILED** at 10:15 p.m. by the following vote: Ayes: Mayor Pro Tempore Clement and Council Members Blyth, Edwards,



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McKissick and Wagstaff. Noes: Mayor Tennyson and Council Members: Burnette, Cheek, Hill, Jacobs, Larson and Stith. Excused Absence: Council Member Langley.

**a. Report on Proceedings of the City Council's Insurance Subcommittee**

**MOTION** by Council Member Stith seconded by Mayor Pro Tempore Clement to receive a report from the Department of Finance on the proceedings of the City Council's Insurance Subcommittee was approved at 10:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick and Stith. Noes: Council Members Blyth and Wagstaff. Excused Absence: Council Member Langley.

**b. Property and Casualty Insurance Broker - Marsh USA, Inc.**

**MOTION** by Council Member Stith seconded by Mayor Pro Tempore Clement to authorize the City Manager to enter into a contract with Marsh USA, Inc. for insurance broker and risk management consulting services and to make changes to the contract prior to execution provided the changes do not lessen the contractor's obligations to the City and the cost to the City is not increased was approved at 10:16 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Burnette, Cheek, Edwards, Hill, Jacobs, Larson, McKissick and Stith. Noes: Council Members Blyth and Wagstaff. Excused Absence: Council Member Langley.

**c. Salary Continuation**

To adopt an "Ordinance to Amend Section 14-10 of the Durham City Code Relating to Personnel" to provide only those workers' compensation benefits required under the Workers' Compensation Act, with the exception of an employee option of using sick leave to maintain salary during the seven-day statutory waiting period and to make up the difference between the statutory 66.7% workers' compensation benefit and their regular net pay--effective July 1, 2001.

**MOTION** by Council Member Stith seconded by Mayor Pro Tempore Clement to refer this item to the Insurance Subcommittee was approved at 10:17 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Cheek, Edwards, Hill, Jacobs, Larson, McKissick, Stith and Wagstaff. Noes: Council Members Blyth and Burnette. Excused Absence: Council Member Langley.

Note: Council Member Blyth left meeting unexcused after Council action on Risk Matters.

**SUBJECT: WARD BOUNDARIES**

To receive the report of the Co-chairs of the Citizens' Group on

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Ward Boundaries; and

To adopt "An Ordinance Regarding Election Ward Boundaries"; and

To adopt "An Ordinance Amending the City Charter to Implement the Results of the Special Election Held on December 8, 1998 Regarding the Size of City Council."

Victoria Peterson expressed a concern relative to Ward 3 and noted that the City needs a true ward system.

**MOTION** by Council Member McKissick seconded by Council Member Edwards to allow Victoria Peterson an additional two minutes to speak was approved at 10:22 p.m. by the following vote: Ayes: Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Jacobs, McKissick, Stith and Wagstaff. Noes: Mayor Tennyson and Council Members Hill and Larson. Excused Absence: Council Member Langley.

Victoria Peterson urged Council to make sure the minority community as well as the conservative community has representation.

Curtis Gatewood, representing the Durham NAACP, urged Council to delay a vote for 30 days to iron out and address concerns regarding the process.

**MOTION** by Council Member Wagstaff seconded by Council Member McKissick to allow Curtis Gatewood an additional two minutes to speak was approved at 10:25 p.m. by the following vote: Ayes: Mayor Pro Tempore Clement and Council Members Blyth, Burnette, Cheek, Edwards, Hill, Jacobs, McKissick, Stith and Wagstaff. Noes: Mayor Tennyson and Council Member Larson. Excused Absence: Council Member Langley.

Curtis Gatewood, representing the Durham NAACP, continued his comments on the process and the options.

Steve Hopkins, 526-A Barnes Avenue, raised concerns with the meetings held on this matter noting the process and the Supreme Court ruling regarding race.

City Attorney Henry Blinder briefed Council on the Voters Right Act.

Dr. Anita Keith-Foust, of 323 W. Trinity Avenue, read a statement regarding the 2001 Ward Reapportionment Plan and City Council Reduction requesting that the vote be delayed on this matter due to the Voting Rights Act of 1965 and Option 1.

Jim McDonald, of 3818 Somerset Drive, made comments about the vote taken at the April 25 meeting to approve Option 1 noting that the vote was 26 to 1 and that he was the only person that voted against it.

Ronnie Jennings spoke in opposition to this issue citing concerns

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with the process being flawed and urged Council not to vote on this matter tonight but to send this back to the general public.

Kennedy Godette spoke in support of the plan and urged Council to vote on this matter.

Joe Becton, Citizens' Committee on Ward Boundaries Co-Chair, commented on the process, meetings, and the recommendation of Option 1 to the Council.

Mayor Tennyson thanked Joe Becton and Patrick Byker as Co-Chairs of the Citizens' Committee on Ward Boundaries for their work and commented on the ward system.

Council Member Wagstaff spoke in opposition to the process and the vote taken at the last meeting of the Ward Boundaries Committee. Also, she noted that this matter should be held one cycle.

**SUBSTITUTE MOTION** by Council Member Burnette seconded by Council Member Wagstaff to delay this matter for 30 days **FAILED** at 10:56 p.m. by the following vote: Ayes: Council Members Blyth, Burnette, Edwards and Wagstaff. Noes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Cheek, Hill, Jacobs, Larson, McKissick and Stith. Excused Absence: Council Member Langley.

**MOTION** by Council Member Larson seconded by Council Member Jacobs to receive the report of the Co-chairs of the Citizens' Group on Ward Boundaries; and

To adopt "An Ordinance Regarding Election Ward Boundaries"; and

To adopt "An Ordinance Amending the City Charter to Implement the Results of the Special Election Held on December 8, 1998 Regarding the Size of City Council" was approved at 10:57 p.m. by the following vote: Ayes: Mayor Tennyson, Mayor Pro Tempore Clement and Council Members Blyth, Cheek, Hill, Jacobs, Larson, McKissick and Stith. Noes: Council Members Burnette, Edwards and Wagstaff. Excused Absence: Council Member Langley.

**Ordinance #12280-12281**

There being no further business to come before the City Council, the meeting was adjourned at 10:58 p.m.

Linda E. Bratcher  
Deputy City Clerk

D. Ann Gray, CMC  
City Clerk